

## CERTIFICATE OF COUNSEL

Pursuant to the Order of the Court, undersigned counsel personally certifies that she has consulted with counsel for Tabarka on April 25, 2018. At that time, Merola's positions were presented regarding Tabarka's authorship and ownership issues, and regarding issues related to the Lanham Act and state-law claims in Tabarka's original counterclaim. As a result of the conference, counsel for Tabarka agreed to amend its counterclaim to dismiss the Lanham Act and state-law claims.

Despite Tabarka's additional amendments to its Counterclaim, the dispositive deficiencies with respect to the Paris Metro 1, Paris Metro 11, and Casablanca 2 works have not been cured. Counsel further asserts that she does not believe, given historical fact, that any further amendment can cure the deficiencies framed in Merola's Motion to Dismiss.

Respectfully submitted this 15th day of May, 2018.

/s/ Erin D. Knese

Erin D. Knese  
Attorney for Plaintiff/Counterdefendant,  
Merola Sales Company, Inc.